

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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ASHNOK N. PATEL, Individually and  
As Executor of the Estate of  
SUDHABEN A. PATEL,

Plaintiff,

-against-

STATEN ISLAND UNIVERSITY HOSPITAL  
MICHAEL COOPER, M.D., KIMLYN LONG, M.D.  
and MOHAMMED SIDDIQUI, M.D.,

Defendants.  
-----X

CV11-2491

Assigned to:  
Judge Brian M. Cogan

**DEMAND FOR  
PRODUCTION OF  
DOCUMENTS**

**PLEASE TAKE NOTICE**, that pursuant to Rule 33 of the Federal Rules of Civil Procedure, the defendant STATEN ISLAND UNIVERSITY HOSPITAL, requests that the plaintiff produce at the offices of his attorneys, WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER, 150 East 42nd Street, New York, New York 10017, on the 8th day of August 2011, the following documents:

(1) Please provide duly executed HIPAA authorizations allowing defendants to obtain a copy of the plaintiff's records and/or films from all health care providers (including but not limited to any physician, radiologist, health care provider, therapist, or other similar specialist) Sudhaben A. Patel has seen for treatment or in consultation in the past ten years.

(2) Please duly executed HIPAA authorizations allowing defendants to obtain a copy of the plaintiff's insurance records for the last ten years.

(3) Please provide duly executed and acknowledged written authorizations permitting the undersigned to inspect and copy any records reflecting any collateral source or payment of

any part of the costs of medical care, custodial care, rehabilitative services, loss of earnings, or other economic loss sought to be recovered herein.

(4) Please provide copies of each and every bill, statement of account or itemized chart received by the plaintiff or anyone on her behalf pertaining to the special damages claimed in this lawsuit.

(5) Please provide any and all writings of this defendant obtained by the plaintiff or representatives of the plaintiff.

(6) Please provide any records, memoranda, notes, tape recordings or other recorded communications of or by the defendants in possession of the plaintiff or the attorneys for the plaintiff.

(7) Please provide any and all notes, records, memoranda, correspondence or other documents pertaining to the care and treatment rendered to the plaintiff.

(8) Please provide any and all photographs pertaining to the care and treatment rendered to the plaintiff, or photographs pertaining to the alleged injuries.

(9) Please provide any and all documents relating to any claims for disability as a result of the conditions alleged in this lawsuit.

(10) If a claim for loss of earnings is being made, provide W-2's from 2005 to the present; or the authorizations for IRS records from 2005 to the present, if the plaintiff was self-employed.

(11) Please provide and all documents plaintiff intends to introduce into evidence at the trial of this matter to support his claim of malpractice and subsequent damages.

(12) Any and all physical evidence plaintiff intends to introduce into evidence at trial of this matter to support his claim of malpractice and subsequent damages.

**PLEASE TAKE NOTICE**, that these Demands are deemed to be continuing up to and including the time of trial. Plaintiff is required to submit a verified supplemental answer setting forth any additional information within thirty (30) days after receipt of such information.

Dated: New York, New York  
July 8, 2011

Yours, etc.,

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

By:

  
TIMOTHY J. SHEEHAN (TS7176)

Attorneys for Defendant

STATEN ISLAND UNIVERSITY HOSPITAL

150 East 42nd Street

New York, New York 10017-5639

(212) 490-3000

File No. 00733.00241

TO: BAILLY & McMILLAN, LLP  
Attorneys for Plaintiff  
244 Westchester Avenue, Suite 410  
White Plains, New York 10604  
(914) 684-9100

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK     )  
  ) ss.:  
COUNTY OF NEW YORK )

VALIANA FREEMAN, being duly sworn, deposes and says: that deponent is not a party to this action, is over 18 years of age and is employed in New York County.

That on the 8<sup>th</sup> day July 2011 deponent served the within:

**DEMAND FOR PRODUCTION OF DOCUMENTS**

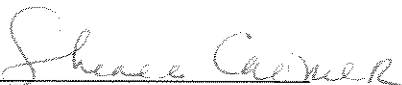
Upon:

BAILLY & McMILLAN, LLP  
Attorneys for Plaintiff  
244 Westchester Avenue, Suite 410  
White Plains, New York 10604  
(914) 684-9100

at the address(es) designated by said attorney(s) for that purpose by depositing a true copy of same enclosed in a postpaid, properly addressed wrapper, in an official depository under the exclusive care and custody of the United States Post Office within the State of New York.

  
\_\_\_\_\_  
VALIANA FREEMAN

Sworn to before me this  
8<sup>th</sup> day of July 2011

  
\_\_\_\_\_  
Notary Public

SHEREE CROMER  
Notary Public, State of New York  
No. 4704701  
Qualified in Queens County  
Commission Expires Dec. 31, 2013

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Index No. CV11-2491

Timothy J. Sheehan  
00733.00241

UNITED STATES DISTRICT COURT/EASTERN DISTRICT OF NEW YORK

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ASHNOK N. PATEL, INDIVIDUALLY AND AS EXECUTOR OF THE ESTATE OF SUDHABEN A. PATEL,

Plaintiff,

-against-

STATEN ISLAND UNIVERSITY HOSPITAL, MICHAEL COOPER, M.D., KIMLYN LONG, M.D., AND  
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**WILSON, ELSE, MOSKOWITZ, EDELMAN & DICKER LLP**

*Attorneys For* Defendants

150 East 42nd Street  
New York, NY 10017-5639  
212.490.3000

Dated, New York, New York  
July 8, 2011

WILSON, ELSE, MOSKOWITZ, EDELMAN & DICKER LLP  
Attorneys for Defendant

To All Counsel

Office and Post Office Address  
File No. 00733.00241

Attorneys(s) for Respective Parties